

S.C. STATEWIDE 800 MHz TRUNKING ADVISORY COMMITTEE

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October 14, 2003

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Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Re: FCC 800 MHz Realignment Proceedings (WT Docket No. 02-55)

Dear Ms. Dortch:

The South Carolina Statewide 800 MHz Trunking Advisory Committee ("Advisory Committee") has serious concerns with the proposed Consensus Plan currently being considered by the FCC. The Advisory Committee urges the Commission to not adopt this plan without further detailed investigation. The Advisory Committee feels that it would be premature to adopt this plan without additional guarantees from NEXTEL, consideration of other options and a full review of the impact/disruption to large statewide public safety 800 systems. We would ask the FCC to remember that national organizations do not represent all of their members concerns, that many of the agencies supporting the Consensus Plan do not operate 800 MHz systems and are not directly impacted by this plan. The Advisory Committee supports a national approach to address the interference problem, but believes a blend of solutions including the Balanced Approach Plan is a better solution for South Carolina's Statewide Shared 800 MHz Radio System.

The Advisory Committee assists the State of South Carolina and Motorola with the management and oversight of the South Carolina Shared Statewide 800 MHz Trunked Radio System and mobile data system, known as the Palmetto 800 Shared Trunked Network. Advisory Committee members are elected by the system users and represent all areas of system users (Law enforcement, Fire, EMS, power utilities and government). This system is a unique partnership made up of public safety and power utilities eligible who utilize both ILT and public safety licenses. The Palmetto 800 Shared System is one of the largest systems in the country, and its users are directly impacted by the Consensus Plan. The Palmetto 800 system currently includes over 61 transmitter sites serving South Carolina and Augusta-Richmond, Georgia. The system supports over 20,000 active ID's representing 23 state agencies, 165 local governments/agencies, 7 power utility providers, 3 federal agencies and 5 special

Currently the users of the Palmetto 800 Shared System are not experiencing specific areas of interference from cellular vendors. The potential impact and disruption to the Palmetto 800 Shared System from rebanding would be sizeable. The lack of details about replacement frequencies in the interleave band makes it very hard to determine the exact retune cost for the Palmetto 800 Shared System. The estimated retune cost is between \$3,000,000 and \$6,000,000. At least 2 complete retunes of all sites and radios would be required for the Palmetto 800 Shared System. Several years ago the Palmetto 800 Shared System was upgraded, this upgrade required all of the system radios to be reprogrammed. The coordination required to gather and retune all 20,000 plus radios from across the state is monumental. It requires hundreds of man hours from public safety responders to deliver, pick-up and redistribute radios, time that may not be reimbursable and pulls them away from their primary jobs. To date no one has guaranteed that the interleave replacement frequencies to be provided by NEXTEL will have the same 70 mile contours (non-short spaced), ERP's and antenna heights. Changes in these frequency parameters can create interference we do not have today and reduce system and in-building coverage endangering the lives of public safety responders.

Consensus Plan Concerns:

Equal Frequency Replacement Is Not Guaranteed – The plan does not guarantee that replacement frequencies for public safety or other licensees in the interleave band (non-NSPAC) will have the same 70 mile contours between licensed transmitters, ERP and antenna heights. For this plan to be considered by public safety, a demonstrated plan must be produced to ensure that all public safety licenses and other licenses shared with public safety are provided with replacement frequencies that are equal or better than their existing frequencies. A state by state national study should be conducted prior to any FCC action being taken.

Funding Is Not Guaranteed – NEXTEL's plan to fund the project through a Limited Partnership jeopardized completion of the project. The spectrum NEXTEL is asking for has been estimated at over 4.5 billion dollars. To be fair to all cellular vendors the FCC should implement a process to guarantee the funds for rebanding and ensure that the full value of the spectrum has been compensated for.

No Plan In Place If Funding Exceeds Projected Cost – If the FCC secures the full value of the spectrum NEXTEL is requesting additional funds will be available if cost exceed the projections. The plan currently provides for regions to be retuned only if the funding is available. Would those regions who were not retuned if funds ran out doomed to interference when NEXTEL reactivates their interleave frequencies in the 851 to 861 band.

Funding By Reimbursement Only – For many statewide systems we are talking about millions of up front dollars the states must provide to fund the retuning. The reimbursement process and timelines are yet to be developed. The FCC should require an up-front funding plan to protect state and local government budgets. Reimbursements for unexpected cost should have a timeline specified for payment.

Relocation Coordination Committee ("RCC") Management – The RCC should be under the direct control of the FCC and have financial audit authority.

Plan Does Not Prioritize Statewide Systems - The rebanding priority plan only looks a population or interference and does not factor in investment in statewide systems and systems servicing multiple NSPAC regions. Population should not be the deciding factor in rebanding priorities.

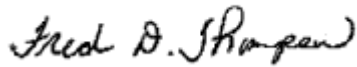
All Cellular Type Systems Should Be Relocated Out Of The 851 to 861 Band – Low site cellular type systems in the interleave band are either creating interference or they are not. To implement a nationwide rebanding plan that already considers exempting some companies who utilize cellular technologies is not a nationwide plan. To prevent future interference the FCC should consider prohibiting the development or use of cellular type and low site technologies in the proposed 851 to 861 band.

Consideration For Additional Spectrum – To ensure sufficient spectrum for public safety, the FCC should consider at least 2 MHz of additional spectrum (861 – 863) be added to the interleave spectrum. Based on a value determined by the FCC for the 1.9 GHz spectrum NEXTEL would receive, the FCC should consider exchanging additional available spectrum for public safety. The spectrum created could be set aside for public safety to support statewide or wide area shared radio systems and interoperability.

The Advisory Committee supports the FCC in its efforts to develop a national strategy to address the interference problems. However let us not forget that many of the public safety radio systems were operational and servicing areas prior to NEXTEL and other cellular systems. While NEXTEL and other providers may be operating legally, the recent changes in their system design and antenna configurations created many of the interference problems. If the tables were turned and public safety was knocking cellular providers, who provided service prior to the existence the public safety system, off the air would the burden of correcting the problem still fall on cellular companies or would they demand public safety to correct the problem they created?

In summation the FCC must ensure that adequate funding will be available to complete the plan, that plenty of equal spectrum is available, additional spectrum will be available, that replacement channels in the interleave band will have the same ERP's and contours, adequate value is received for the spectrum, determine the true national extent of this severe cellular interference and that no other options exist before the FCC moves forward with consideration of this plan.

Respectfully submitted,

A handwritten signature in cursive script, reading "Freddie D. Thompson".

Freddie Thompson, Chairman
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